IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7892 of 1994

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KALPESH BHIKHABHAI PATEL

Versus

GUJ.HIGHER SEC.EDU.BOARD

Appearance:

1. Special Civil Application No. 7892 of 1994

MR TUSHAR MEHTA for the Petitioner

MR HEMANG RAVAL for MR AD OZA for the Respondent

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 20/01/2003

ORAL JUDGEMENT

The petitioner herein had taken the Standard XII examination conducted by the Gujarat Secondary Education

Board, the respondent herein (hereinafter referred to as 'the Board'), in the month of March, 1994. The petitioner had been given seat No.B014187. At the time of declaration of the result, it was suspected that the petitioner had manipulated his marks in various subjects so as to increase his total marks by 74 numbers. Pending the inquiry, the petitioner's result was withheld. Feeling aggrieved, the petitioner had preferred the present petition and had prayed for a direction to the Board to declare his result. By an interim order made on 1st July, 1994, this Court (Coram: C.K.Thakkar, J. as he then was) refused to grant interim relief pending enquiry.

Mr.Raval has informed that pursuant to the enquiry, the petitioner was found guilty. The Board, under its Resolution dated 4th October, 1994, decided to cancel the result of the petitioner and to allow him to take examination again in the month of March, 1995. He has produced copy of the relevant Resolution No.5(1) for perusal by the Court. He has also informed that the above decision of the Board has not been challenged in the present petition.

In above view of the matter, no further order is required to be made on this petition. Hence, the petition is dismissed. Rule is discharged. There shall be no order as to costs.

(Ms. R.M. Doshit, J.)

/sakkaf